

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSEPH MARTIN NORTON, III,

Plaintiff

Case No. 2:23-cv-00611-RFB-VCF

ORDER

v.

WILLIAM HUTCHINGSON, *et al.*,

Defendants

I. DISCUSSION

On June 27, 2023, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), filed another application to proceed *in forma pauperis*. (ECF No. 9). However, Plaintiff’s application to proceed *in forma pauperis* is still incomplete. Plaintiff has not submitted a completed financial certificate and a copy of Plaintiff’s inmate prison trust fund account statement for the previous six-month period.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate’s prison or jail trust fund account statement for the previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.

1 See 28 U.S.C. § 1915(b).

2 As explained above, Plaintiff's application to proceed *in forma pauperis* is
3 incomplete. The Court will grant Plaintiff an extension of time to either pay the filing fee
4 or file a completed financial certificate and inmate trust fund account statement.

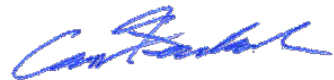
5 **II. CONCLUSION**

6 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send
7 Plaintiff the approved form application to proceed *in forma pauperis* by an inmate, as well
8 as the document entitled information and instructions for filing an *in forma pauperis*
9 application.

10 It is further ordered that Plaintiff has **until July 27, 2023**, to either pay the full \$402
11 filing fee or file a completed financial certificate and inmate trust fund account statement.

12 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
13 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
14 to refile the case with the Court, under a new case number, when Plaintiff can file a
15 complete application to proceed *in forma pauperis* or pay the required filing fee.

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17 DATED: 6-28-2023

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19 UNITED STATES MAGISTRATE JUDGE
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